

Representative John Walsh
House Elections Committee testimony – November 1, 2011

Thank you, Chairman Lund and members of the House Elections Committee.

It is equally important to understand what National Popular Vote does not do.

Even though Halloween is over, opponents of National Popular Vote are using false scare tactics in an effort to make you think this is a risky scheme.

These are some of the scary, yet inaccurate arguments you will hear from opponents:

The opposition says: ***“Changing the way we elect the president requires a Constitutional amendment.”***

The fact is states have changed the manner in which they award electoral votes many times throughout the years under the Constitution. Article II, Section 1 of the U.S. Constitution clearly gives states the power to award electors as each sees fit. The current “winner-take-all” system is described nowhere in the Constitution. The National Popular Vote plan will just change the way the electors are awarded to the Electoral College from the current “winner take all” system to the winner being the candidate who wins the most national popular votes in all 50 states. Amending the Constitution to make this change would not only be inappropriate, it would strip states from their right to award electors.

The opposition says: ***“The Electoral College would be abolished or made irrelevant.”***

The fact is the National Popular Vote compact would preserve the Electoral College. It would not abolish it. It would not affect the structure of the Electoral College contained in the U.S. Constitution. The Founding Fathers never agreed on how presidential electors should be chosen but, instead, left the manner entirely to the states. Under the National Popular Vote compact, the Electoral College would still be the validating mechanism for electing the president.

The opposition says: ***“The National Popular Vote will favor big city populations.”***

The fact is the origins of the myth about big cities stem from the belief that big cities are bigger than they actually are, and that big cities account for much more of the nation’s population than they actually do. The population of the nation’s 5 biggest cities (New York, Los Angeles, Chicago, Houston and Philadelphia) together constitute only 6% of the nation’s population of

approximately 300 million. Even if one makes the far-fetched assumption that a candidate could win 100% of the votes in the nation's top 5 cities, that candidate would have only won 6% of the national popular vote. The National Popular Vote encourages our Presidential candidates to reach out to every voter in every state.

The opposition says: ***"The National Popular Vote plan will favor large states over small states."***

The fact is under the current "winner-take-all" method for awarding electoral votes, a vote for President in Wyoming is equal to a vote in California — both are politically worthless. With a national popular vote, a voter in a low-population state would become as important as any other voter in the United States. Serious candidates for office solicit every vote that matters. Every vote in every state will matter in every presidential election under the National Popular Vote plan. In most cases, low-population states offer presidential candidates the attraction of considerably lower per-impression media costs.

The opposition says: ***"A National Popular Vote would result in recount chaos and the current system typically produces undisputed outcomes."***

The fact is the National Popular Vote plan substantially reduces the likelihood of an arduous recount. However, recounts in individual states are relatively commonplace (several occurred in state elections since 2000). In the unlikely event of a nationwide recount, each state would have a system for conducting one. No national disaster.

The opposition says: ***"The National Popular Vote plan will lead to increased voter fraud."***

The fact is fraud succeeds only when a small number of unscrupulous voters can have a disproportionate impact on the overall result. Under the present system, candidates who win states by a handful of popular votes win ALL of that state's electoral votes. As such, fraudulently producing a few hundred votes can easily have an impact on the overall result. With National Popular Vote in effect, it would be nearly impossible to produce the many hundreds of thousands of votes necessary to sway a national election — and to do so without attracting attention.

In closing, National Popular Vote has been carefully vetted by elections experts and constitutional scholars across the country. We urge thoughtful members of the legislature to study the facts and credible answers to the arguments against National Popular Vote, and we encourage you to carefully consider the consequences for Michigan under the current winner-take-all system.